The Informal Factors that are Conducive to the Passage of a Participatory Amendment

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Methods & Case Selection

- I selected two of the five total participatory amendments to study, the Nineteenth and Twenty-Sixth Amendments
- Nineteenth Amendment (1920): Required that the right to vote could not be denied on the account of sex
- Twenty-Sixth Amendment (1971): Lowered the voting age from twenty-one to eighteen
- I examine these two amendments in the context of two informal factors: social movements and formal institutions
- Social movements: I examined meeting minutes, primary documents, and interviews with movement leaders
- Formal Institutions: I examined congressional debate, presidential support, and major Supreme Court cases relating to the ratification of these amendments
- Examination of these two factors across both amendments will help highlight common factors contributing to the ratification of each

Social Movements Examination Model

McAdams (1982) Political Process Model

Research Question & Objectives

- Research Question: Under which informal factors is it likely that a participatory amendment will be ratified?
- This will be answered by way of a case study examining the Nineteenth and Twenty-Sixth Amendments
- Goal of this study was to discover and highlight the informal factors that were important to the ratification of these two participatory amendments
- Understanding this will help to predict if future proposed amendments will be ratified and provide guidance to proponents of future amendments
- Future participatory amendments are possible due to groups such as felons, former felons, and citizens of U.S. territories not being allowed to vote
- This study’s focus on participatory amendments was done due to the sizable number of them that already exist and the possibility that more will come in the future due to the extremely limited electorate guaranteed at our country’s founding

Background

- Formally amendments are ratified when Congresses propose a potential amendment that must then be approved by two-thirds of each house and passed by three quarters of state legislatures
- A second formal process occurs when a national convention is formed to discuss a potential amendment when two-thirds of states deem it necessary
- In the context of this research project a participatory amendment refers to any amendment to the U.S. Constitution that has expanded the electorate in national elections
- These amendments include: the Fifteenth, Nineteenth, Twenty-Third, Twenty-Fourth, and Twenty-Sixth Amendments
- An informal factor refers to anything that affects the likelihood of ratification and is not explicitly required by the Constitution
- Due to the immense and diverse legislative support needed to successfully ratify an amendment I chose to look at the informal factors conducive to ratification to understand what pressures legislators to adopt amendments

Social Movements

- Major social movements demanding each amendment:
  - 19th: American Women Suffrage Association (AWSA), National Woman Suffrage Association (NWSA), and, when the two aforementioned groups merged, National American Woman Suffrage Association (NAWSA)
  - 26th: Youth Franchise Coalition (YFC)
- Commonalities in the social movements leading to the ratification of both amendments:
  - Social movements attempted to lobby legislators at the state and national level
  - Movements attempted to distance themselves from radical image
  - Instead favor conservative methods of change (i.e. lobbying legislators or grassroots mobilization)
  - Employed grassroot mobilization
  - Formed auxiliary branches of national organizations in each state nationwide
  - Became more involved in society to help with the war effort during periods of expanding political opportunities

Formal Institutions

- Formal institutions reference the support or inhibition of ratification by the Supreme Court, Congressional leaders, and sitting presidents
- 19th Amendment:
  - President Woodrow Wilson
  - Came to office in 1913 believing that women’s suffrage should be left to the states
  - During his second term he becomes a major advocate for a female suffrage amendment
  - Speeches link enfranchising women to the WWI effort
- 26th Amendment:
  - Met with individual congressmembers to convince them to vote in favor of the amendment
  - Wrote appeals to six state legislatures urging them to ratify the amendment
- Social Movements Examination Model

Formal Institutions Cont.

- 26th Amendment:
  - Presidents Lyndon Johnson, Richard Nixon, and Dwight Eisenhower
  - All support youth suffrage in State of the Union Addresses
  - All three presidents were moderately committed to youth suffrage, no one played an especially large role in advocating ratification
  - Nixon consistently advocated for a constitutional amendment as opposed to change via statute
- Found Congress’s lowering of the voting age by statute unconstitutional when applied to states
- Forced Congress to pass a suffrage amendment
- Congress
  - Senator Jennings Randolph
  - The “father” of the 26th Amendment
  - Repeatedly proposed a youth suffrage amendment and ferociously argued for ratification
  - Repeatedly refered intelligence of youths
  - Present statistics compiled by the YFC
  - Most debate revolved around how to enfranchise youth, not if they should be enfranchised

Conclusions

- Trends in ratifying participatory amendments as found in this case study:
  - Sense of urgency amongst Congressmen to enfranchise people amidst radical protests
  - Demands for enfranchisement persist long before suffrage via constitutional amendment
  - Large grassroot mobilizations which attempt to accomplish change through nonradical means
  - Lobby legislators on the federal level but also extensively on the state level
  - Disenfranchised groups take on increasingly important roles in society due to major wars
  - Presidents, through their office, have strategic advantages in promoting such amendments

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